

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)

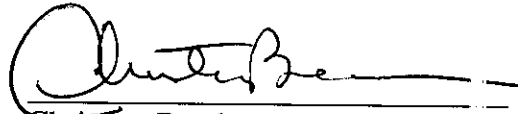
v.)

Johnny Alvin Hall,
Defendant)

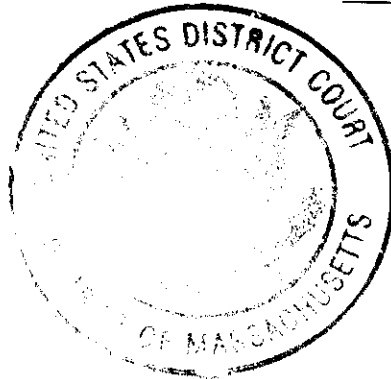
MJ No. 2004M 0405 RBC

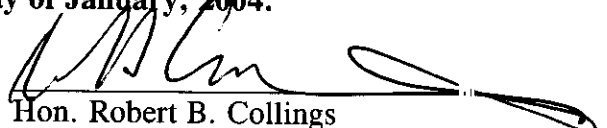
AFFIDAVIT IN SUPPORT OF RULE 5 [FORMERLY RULE 40] PROCEEDING

I, Christian Brackett, Special Agent with the Drug Enforcement Administration, do hereby make oath before the Honorable Robert B. Collings, United States Magistrate Judge for the District of Massachusetts, that upon knowledge coming to me in connection with my official duties and as part of the official records of my office, I am advised that there is presently outstanding a warrant of arrest for one Johnny Alvin Hall in the Eastern District of Virginia for possessing with intent to distribute 100 grams or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). I do hereby make oath that the warrant of arrest is outstanding in said District on the basis of the information set out above. A copy of said warrant is attached.


Christian Brackett
Special Agent,
Drug Enforcement Administration

Subscribed and sworn to before me this 6th day of January, 2004.




Hon. Robert B. Collings
United States Magistrate Judge

HON. ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE
United States District Court
United States Courthouse, - Suite 6420
1 Courthouse Way
Boston, MA 02210

02660

AO 442 (Rev. 12/85) Warrant for Arrest

United States District Court

EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA

v.

WARRANT FOR ARREST

JOHNNY ALVIN HALL
1757 Storey Avenue
Bronx, NY

CASE NUMBER: 2:03m 725

To: The United States Marshal
and any Authorized United States OfficerYOU ARE HEREBY COMMANDED to arrest Johnny Alvin Hall

Name

and bring him or her without unnecessary delay to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☒ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging that he (brief description of offense)

did unlawfully, knowingly and intentionally possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance,

in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

James E Bradberry
Name of Issuing OfficerU.S. Magistrate Judge
Title of Issuing OfficerDecember 31, 2003 @ Norfolk, VA
Date and Location

Bail fixed at \$

NO BAIL

by

James E-Bradberry
Name of Judicial OfficerRECEIVED
2003 DEC 31 P 12:22
EASTERN DISTRICT
OF VIRGINIA
NORFOLK DIVISION

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST		

AO 442 (Rev. 12/85) Warrant for Arrest

THE FOLLOWING IS FURNISHED FOR INFORMATION ONLY:

DEFENDANT'S NAME: Johnny Alvin Hall

ALIAS: _____

LAST KNOWN RESIDENCE: 1757 Storey Avenue, Bronx, NY

LAST KNOWN EMPLOYMENT: _____

PLACE OF BIRTH: U.S.

DATE OF BIRTH: 8/3/67

SOCIAL SECURITY NUMBER: 111-66-9837

HEIGHT: 6'0" WEIGHT: 220

SEX: Male RACE: Black

HAIR: Black EYES: Brown

SCARS, TATTOOS, OTHER DISTINGUISHING MARKS: _____

FBI NUMBER: _____

COMPLETE DESCRIPTION OF AUTO: _____

INVESTIGATIVE AGENCY AND ADDRESS: Drug Enforcement Administration, 200 Granby Street, Suite 339, Norfolk, VA
23510

AO 91 (Rev. 5/85) Criminal Complaint

United States District Court

EASTERN DISTRICT OF VIRGINIA

Norfolk Division

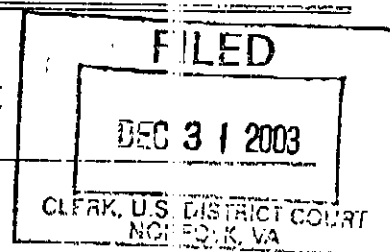
UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

JOHNNY ALVIN HALL
1757 Storey Avenue
Broux, NYNUMBER: 2:03m 725

(Name and Address of Defendant)



I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 23, 2003, in Northampton County, Virginia, in the Eastern District of Virginia defendant(s) did, (Track Statutory Language of Offense)

unlawfully, knowingly and intentionally possess with intent to distribute 100 grams or more of a mixture and substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance,

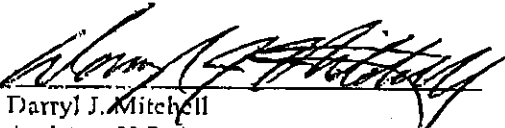
in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B).

I further state that I am a(n) Special Agent, Drug Enforcement Administration and that this complaint is based on the following facts:

Official Title

See Attached Affidavit

READ AND REVIEWED:


Darryl J. Mitchell
Assistant U.S. Attorney

Continued on the attached sheet and made a part hereof:



Yes



No

Sworn to before me and subscribed in my presence,

December 31st, 2003

Date

James E. Bradley
U.S. Magistrate Judge

Name & Title of Judicial Officer

at

Norfolk, Virginia

City and State


Signature of ComplainantAmy L. Powers
Special Agent
Drug Enforcement Administration

CLERK, U.S. DISTRICT COURT

AFFIDAVIT

I, Special Agent Amy L. Powers, United States Department of Justice, Drug Enforcement Administration, being duly sworn, do depose and state:

I. EXPERIENCE AND TRAINING

1. I have been a Special Agent with the Drug Enforcement Administration (DEA) since August of 2003. I have successfully completed extensive training emphasizing narcotic investigation and enforcement, including the 16-week DEA Academy in Quantico, VA. This training included instruction in the investigation of Federal drug violations including Title 21 of the United States Code. I have completed training provided by the DEA involving the use, possession, distribution, packaging, manufacturing, sale, concealment, and transportation of various controlled substances including heroin.

2. I am familiar with the facts and circumstances of this investigation as a result of information received by me and summarized in reports I have reviewed. I have compiled information derived from discussions with experienced law enforcement officers, including State Troopers of the Virginia State Police. This affidavit contains a probable cause statement to support the issuance of an arrest warrant for this offense and does not contain all the information known to this affiant regarding the defendant. Based upon my experience and training, I know the following:

II. FACTS SUPPORTING PROBABLE CAUSE

1. On April 23, 2003, Norfolk Police Detective Windsor Brabson received information from a Cooperating Source, hereafter referred to as CS#1, that Johnny HALL a/k/a "J.B." would be traveling southbound on Route 13 on the Eastern Shore of Virginia in a burgundy van bearing Virginia tags JDM-5309 with a large quantity of heroin. CS#1 has provided information in the past to law enforcement officials and has proven to be truthful and accurate.

2. On April 23, 2003, Virginia State Police Trooper C.S. Wade was working highway interdiction on Route 13 in Northampton County, Virginia. Northampton County is in the Eastern

District of Virginia. Based upon information conveyed to him by Detective Brabson, at approximately 9:32 p.m., Trooper Wade stopped a 1994 Nissan van, burgundy in color, bearing Virginia tags JDM-5309 registered to James Edward Clayton, 521 Graydon Avenue, Apartment B, Portsmouth, Virginia which Trooper Wade observed traveling southbound along Route 13 in Northampton County near the Chesapeake Bay Bridge-Tunnel. Trooper Wade determined that the vehicle was occupied by three adult males, James Clayton, the driver, and passengers Jolnny HALL and Kermit Smith. Trooper Wade conducted a driver's license check on James Clayton, and found his license to be suspended by the Virginia Department of Motor Vehicles.

3. At approximately 9:45 p.m., Clayton gave Trooper Wade consent to search his person and the van. HALL and Smith exited the vehicle and also gave permission for their persons to be searched. Trooper Miller of the Virginia State Police subsequently found a cigarette packet containing a piece of a plastic drinking straw and a small clear plastic bag containing a light tan substance inside Clayton's coat. Based on Trooper Wade's training and experience, he believed the light tan substance to be heroin.

4. At approximately 11:23 p.m. on the same evening, during a search of the vehicle, Norfolk Police Detective Jemal Davis and Trooper Wade removed the plastic covering from the interior of the rear door which revealed a gray duct tape package containing multiple pellets of suspected heroin. This quantity of suspected heroin was later analyzed by a forensic chemist of the DEA Mid-Atlantic Laboratory in Largo, MD, and determined to be heroin hydrochloride in the amount of .566 grams. Trooper Wade also found a partial roll of duct tape located inside the center console of the vehicle and a quantity of a substance known as mannite located behind the passenger seat. Based on my training and experience, I am aware that mannite is commonly used as a cutting agent by heroin distributors.

5. At approximately 11:25 p.m., Trooper Mark Wendel interviewed HALL in reference to the seizure of heroin. Trooper Wendel advised HALL of his Miranda rights, which he waived. HALL provided Trooper Wendel with the following information: HALL advised that a male known to HALL only by the nickname 'Sex' called him on Sunday (April 20, 2003) to arrange a pickup and delivery of heroin. HALL advised that he was supposed to arrive in New York City on Monday (April 21, 2003) but he did not arrive until Wednesday (April 23, 2003). HALL stated that 'Sex' called him at around 9:00 a.m. on April 23, 2003 and told HALL that he had some business to take

care of and he would call him back later. HALL added that, some time between 12:00 p.m. and 1:00 p.m., 'Sex' called him again and told him to meet at Archer's (a bar in the Bronx, New York). HALL advised that James Clayton drove him to the bar and that he (HALL) went into the bar and waited to meet 'Sex.' HALL advised that 'Sex' arrived around 1:30 p.m. and that he got into the van with 'Sex' and drove to Parkchester (Bronx) where they parked. HALL then stated that 'Sex' pulled out a duct taped bundle and asked HALL if he wanted to carry the bundle or if he should "stash" it. HALL indicated that he told 'Sex' to stash it and 'Sex' took the bundle and put it in the rear door panel. HALL advised that 'Sex' then drove HALL back to the bar and "broke out" (left). HALL stated that Clayton and he then traveled to Kermit Smith's house to pick him up. HALL said that this was his third time picking up heroin from New York and that he usually gets paid between \$1000 and \$1500 for making the trip. HALL advised that he was going to drop the heroin off to 'Sex' in Virginia.

6. Based on the foregoing, I believe there is probable cause to charge Johnny HALL with possession with intent to distribute 100 grams or more of a substance containing a detectable amount of heroin, a Schedule I narcotic controlled substance, in violation of Title 21, United States Code, Section 841 (a)(1) and (b)(1)(B).


Special Agent Amy L. Powers
Drug Enforcement Administration

SUBSCRIBED AND SWORN TO before me this 31st day of December 2003.


United States Magistrate Judge